



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/653,498	08/31/2000	Sharon K. Heidenreich	020375-021100US	4793

20350 7590 07/19/2004

TOWNSEND AND TOWNSEND AND CREW, LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

EXAMINER

MCCLELLAN, JAMES S

ART UNIT	PAPER NUMBER
----------	--------------

3627

DATE MAILED: 07/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/653,498

Applicant(s)

HEIDENREICH ET AL.

Examiner

James S McClellan

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Request for Continued Examination

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/5/04 has been entered.

Amendment

2. Applicant's submittal of an amendment was entered on 4/5/04, wherein:

claims 1-24 are pending and

claims 1 and 6 have been amended.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-6, 10-13, and 15-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,057,677 (Bertagna et al.) in view of U.S. Patent No. 6,139,034 (Williams) and .

In regards to independent **claim 1**, Bertagna et al. discloses a system for controlling currency exchange and merchandise sales on an aircraft with a passenger load, which comprises: a service cart (36); a currency inventory (see column 3, lines 60-61; cash receipts) including at least two different currencies; an inventory of merchandise (see column 3, lines 60-61) stowed in the service cart; the service cart (36) being stowable on the aircraft and movable through the cabin thereof (see column 5, lines 24-28); a point-of-sale computer (28, PTMU) receiving currency and merchandise inventory data; said point-of-sale computer (28) being operable by a flight attendant to record transactions with said merchandise and said currency; [**claim 2**] a processing computer (10; see column 3, lines 65-68) adapted to receive transactional data from said point-of-sale computer (28, see paragraph that bridges columns 5 and 6); [**claim 3**] a data card (16) adapted to receive inventory data from said processing computer (10) and transferring same to said point-of-sale computer (36); [**claim 4**] said data card (16) comprising a currency data card (16); and a merchandise data card (16; see column 4, lines 14-51) adapted to receive data pertaining to said merchandise inventory and transferring same to said point-of-sale computer (28); [**claim 5**] said point-of-sale computer (28) recording currency exchange (and merchandise sales transaction data on said currency and merchandise data cards respectively for transferring same (via disk drives 20, 22, 24 on CCU 18) to said processing computer (10);

In regards to independent **claim 6**, Bertagna et al. discloses a method of controlling currency exchange and merchandise sales on a passenger flight with a service cart located in the aircraft cabin, which comprises of steps of **a**) providing a security drawer in said service cart with a locked position securing same in said service cart and an unlocked position providing access thereto (see column 2, lines 61-63); **b**) providing an inventory of currency (see column 3,

Art Unit: 3627

lines 60-61; cash receipts); **c)** providing an inventory of merchandise in said service cart (see column 3, lines 60-61); **d)** providing a point-of-sale computer (28, PTMU); **e)** loading said point-of-sale computer with data corresponding to said currency inventory and said merchandise inventory (see column 5, lines 48-51); **[claim 10] a)** recording currency exchange and merchandise sales transactions on said point-of-sale computer in-flight (see column 9, lines 32-37); **b)** inventorying said currency and merchandise inventories post-flight (see column 10, lines 23-27); **c)** reconciling the post-flight currency and merchandise inventories with the currency and merchandise data on the point-of-sale computer (see paragraph bridging column 13-14); **d)** generating an end-of-flight report of currency and merchandise transactions during said flight (see paragraph bridging columns 13-14); **[claim 12] a)** maintaining foreign currency exchange information for multiple airline flights (see column 4, lines 18-22, "download data for that particular flight"); and **b)** programming said point-of-sale computer with foreign currency exchange information specific to a particular flight (see column 4, lines 31-34, "currency exchange rates"); **[claim 13] a)** maintaining multiple foreign currency exchange rates (see column 4, lines 31-34, "currency exchange rates"); **b)** programming said point-of-sale computer (28) with said foreign currency exchange rates (see column 7, lines 56-59); **[claim 15] a)** maintaining information specific to a cash bag (see column 3, lines 60-61; cash receipts) for a particular flight; **b)** transferring to said currency data card data pertaining to said cash bag for transfer to said point-of-sale computer (see sentence bridging columns 4-5); **[claim 16] a)** providing the flight crew with currency exchange information (see column 4, lines 52-64); **b)** the flight crew announcing to the passengers the currency exchange rate information (inherent when an exchange is conducted); **[claim 17]** reconciling the end-of-flight contents of cash bags with

Art Unit: 3627

the processing computer (see column 14, lines 3-5); **[claim 18] a)** conducting a physical inventory of the currency and the merchandise in the cart (see column 13, lines 37-51); **b)** reconciling the physical inventory with currency exchange and merchandise sales transactions recorded by said point-of-sale computer (see column 13, lines 51-54); **[claim 19]** providing a flight summary report identifying currency, travelers check and credit card transactions (see column 13, lines 51-54); **[claim 20] a)** providing transaction detail report of currency exchange transactions (see column 13, lines 55-57); **b)** providing a transaction detail report of merchandise sales transactions (see column 13, lines 55-57); **[claim 21]** said merchandise comprises duty-free merchandise (see column 2, line 6, "duty-free items"); **[claim 22]** providing an over and short report of overages and shortages with respect to said remaining currency and merchandise inventories (see column 5, lines 59-63); **[claim 23]** creating a transaction history file of said currency exchange and merchandise sales transactions (see column 13, lines 51-54); and **[claim 24]** creating an archive file from currency exchange and merchandise sales transactions (see column 13, lines 51-54).

Bertagna et al. disclose all elements set forth above but fails to expressly disclose a security drawer mounted in the service cart for storing currency.

Williams discloses a security drawer (see Figure 5) removably mounted and having locked an unlocked positions in a point-of-sale cart (see Figures 4-5).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Bertagna et al. with a currency security drawer mounted in a cart as taught by Williams, because a security drawer protects currency from theft.

Art Unit: 3627

In regards to **claim 11**, Bertagna et al. fails to expressly disclose maintaining currency exchange information for multiple airlines. Bertagna et al. states in column 2, lines 3-5, that the system is useful for "airlines". The Examiner takes *Official Notice* that it would have been obvious to maintain foreign currency exchange information for multiple airlines. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Bertagna et al. for use for multiple airlines as is well known in the art, because tracking information specific to multiple airlines will provide the service for a greater number of potential customers.

Claim Rejections - 35 USC § 103

4. Claims 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bertagna et al. and Williams and further in view of U.S. Patent No. 5,367,452 (Gallery et al.).

Bertagna et al. in combination with Williams disclose all claimed elements except expressly disclosing that pre-flight currency and merchandise inventory are based on historical data.

Gallery et al. teaches the use of historical data of product sales, cashier settlement, and inventory control (see ABSTRACT).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Bertagna's modified device the use of historical data as taught by Gallery et al. because the use of historical data provides a calculated way of determining the inventory necessary for a flight.

5. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bertagna et al. and Williams and further in view of U.S. Patent No. 5,873,069 (Reuhl et al.).

Art Unit: 3627

Bertagna et al. in combination with Williams disclose all claimed elements except expressly disclosing the use of employee discount information.

Ruehl et al. teaches the use of utilizing employee discount information (see 4, lines 16-17).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Bertagna's modified device with the use of employee discount information as taught by Ruehl et al., because an employee discount provides a benefit for employees to perform their duties.

Response to Arguments

6. Applicant's arguments filed April 5, 2004 have been fully considered but they are not persuasive.

Applicant's submittal of a substitute declaration on August 19, 2003 is acknowledged and entered.

Applicant's arguments on pages 8-9 are moot in view of the new grounds of rejection necessitated by Applicant's amendment.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jim McClellan whose telephone number is (703) 305-0212. The examiner can normally be reached on Monday-Friday from 9:30 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski, can be reached at (703) 308-5183.

Art Unit: 3627

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

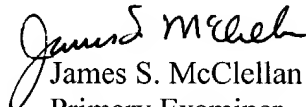
Any response to this action should be mailed to:

Commissioner of Patent and Trademarks
Washington D.C. 20231

or faxed to:

(703) 872-9306 (Official communications) or
(703) 746-3516 (Informal/Draft communications).

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive,
Arlington, VA, 7th floor receptionist.


James S. McClellan
Primary Examiner
A.U. 3627

jsm
July 12, 2004